

Application No. 10/047,366
Paper Dated: January 22, 2007
In Reply to USPTO Correspondence of October 20, 2006
Attorney Docket No. 3633-012217

REMARKS

Claims 1-5 stand rejected under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. 5,966,699 to Zandi.

In the rejection of claim 1, steps (a) and (b), the Examiner alleges, among other things, that Fig. 4A, items 110 and 115, respectively, of the Zandi patent disclose the limitations thereof. Reconsideration is requested.

Claim 1, step (a) recites that a first plurality of lessee qualitative variables and a first plurality of lessee quantitative data regarding a lease received at a lessee's computer are provided to at least one lessor's computer via a computer network. Item 110 in Fig. 4A of the Zandi patent discloses providing an electronic loan application to a loan authorizer. It is unclear to Applicant how the electronic loan application of the Zandi patent includes qualitative variables. Specifically, "qualitative" relates to quality or kind, either measurable or subjective, as distinct from quantitative (see attached Google search for "define:qualitative"). As best understood by Applicant, loan applications include information regarding the party requesting the loan as well as financial data of said party. However, to the best of Applicant's knowledge, such information does not include qualitative variables of any sort. To this end, to the best of Applicant's knowledge, electronic loan applications do not include any qualitative information related to quality of anything, such as, without limitation, the quality of the loan applicant, the quality of the information included on the loan documents, and the like. To the contrary, the Zandi patent suggests that any such qualitative assessment is made by a loan authorizer. Accordingly, the Examiner is requested to explain in more detail how Fig. 4A, item 110 of the Zandi patent discloses all the limitations of claim 1, step (a).

Claim 1, step (b) recites that a second plurality of lessor qualitative variables and a second plurality of lessor quantitative data regarding the lease are received from each lessor's computer via the computer network. Applicant does not understand how the electronic message of item 115 of Fig. 4A of the Zandi patent, regarding whether or not the loan is authorized, includes qualitative variables. Specifically, as best understood by Applicant, no qualitative variables would be necessary in such an electronic message in order to indicate whether or not the loan is approved. Accordingly, the Examiner is requested to

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explain in more detail how the electronic message 115 in Fig. 4A of the Zandi patent, regarding whether a loan has been approved, includes qualitative variables.

Regarding the rejection of claim 1, step (c), the Zandi patent does not disclose, teach or suggest the use of a grade or a relative weight related to the importance of at least one lessor qualitative variable to the lessee. In the rejection of claim 1, step (c), the Examiner refers to item 105 in Fig. 4A of the Zandi patent. Item 105 recites receiving a complete electronic loan application from the prospective borrower. However, it is not clear to Applicant where such electronic loan application includes a grade or relative weight related to the importance of a qualitative variable to the loan process. Accordingly, the Examiner is requested to explain in more detail where such electronic loan application includes a grade or relative weight related to the importance of a qualitative variable, which insofar as Applicant can tell, the Zandi patent does not disclose.

Claim 1, step (d) recites, among other things, for each lessor, processing the grade or relative weight received for the qualitative variable and the lessor quantitative data to determine a weighted total score. In the detailed rejection of claim 1, step (d), the Examiner alleges that item 20 in Fig. 1 of the Zandi patent discloses all the limitations thereof. However, item 20 in Fig. 1 of the Zandi patent is a computer 20. There is no disclosure, teaching or suggestion in the Zandi patent that this computer, or any other computer in the Zandi patent, processes a grade or relative weight received for a qualitative variable, and lessor quantitative data to determine a weighted total score for each lessor. To this end, the Zandi patent is silent regarding how a prospective loan applicant selects one of a number of loans being bid by prospective lenders. What is clear, however, is that the Zandi patent does not disclose the formation of a weighted total score for each prospective lender. Accordingly, the Zandi patent cannot disclose, teach or suggest the limitations of claim 1, step (d).

Absent determining a weighted total score for each lessor in claim 1, step (d), the Zandi patent cannot disclose, teach or suggest ranking such weighted total scores in claim 1, step (e) or providing the ranked weighted total scores to a lessee's computer and each lessor's computer via the computer network in claim 1, step (f).

Lastly, inasmuch as the Zandi patent does not disclose, teach or suggest the use of qualitative variables, the Zandi patent cannot disclose, teach or suggest repeating steps

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(c)-(f) each time a change in at least one of the lessor qualitative variables is received from at least one of the lessor's computers via the computer network.

Absent disclosing, teaching or suggesting a method having all the limitations of claim 1, the Zandi patent cannot anticipate or render obvious claim 1, or claims 2-5 dependent therefrom.

Claim 2 generally recites, among other things, processing first and second pluralities of lessee qualitative variables and first and second pluralities of lessee quantitative data to obtain first and second lease simulation outcomes, and providing the first or second plurality of lessee qualitative variables and the corresponding first or second plurality of lessee quantitative data to at least one lessor's computer in step (a) (of claim 1) based on the first or second lease simulation outcome provided to the lessee's computer via the computer network.

The Zandi patent is directed to a computer system for conducting an electronic loan auction over a computer network. The Zandi patent, however, does not disclose, teach or suggest any need for simulating one or more loan applications. In contrast, claim 2 of the present application recites, among other things, processing qualitative variables and quantitative data to obtain lease simulation outcomes. A benefit of providing such lease simulations is so that all of the proposed leases can be compared on the same basis. In contrast, the Zandi patent does not disclose, teach or suggest any need for simulating its loans. Accordingly, the Zandi patent cannot disclose, teach or suggest all the limitations of claim 2.

Regarding claim 3, absent performing lease simulations, the Zandi patent cannot disclose the feature of claim 3 of commencing the auction after completing one or more lease simulations.

As can be seen, the present invention discloses and claims a lease auction method having features not found in the Zandi patent. Accordingly, claims 1-5 of the present application are patentable over the Zandi patent.

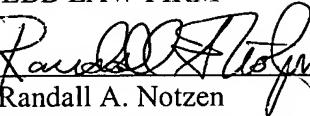
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CONCLUSION

Based on the foregoing remarks, reconsideration of the rejection and allowance of claims 1-5 are requested.

Respectfully submitted,

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